



CRL OP(MD). No. 8824 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

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1.Jahir Hussain
2.A.Shaul Hameed
3.S.Nabishal

...Petitioners/Accused 1 to 3

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Atchampudur Police Station
Tenkasi
(Crime No. not known of 2026)

...Respondent/Complainant

For Petitioners : Mr.K.Karansingh
Advocate.

For Respondent : Mr.M.Karunanithi
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. not known of 2026 on the file of the

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respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent for the offences punishable under Sections 296(b), 118(1), 351(3) of BNS, 2023 r/w Section 4 of TNPHW(A) Act, 2002 and Section 3 of the Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959 in Crime No. 140 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 23.04.2026, the petitioners abused the defacto complainant in filthy language and assaulted him. Hence, the case.

3. The learned counsel for the petitioners would submit that this petition is filed as Crime No. Not known of 2026 and subsequently, the petitioners came to know that the FIR was registered in Crime No. 140 of 2026 for the offences Sections 296(b), 118(1), 351(3) of BNS, 2023 r/w Section 4 of TNPHW(A) Act, 2002 and Section 3 of the Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959. He would further

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submit that the petitioners are innocent and they were falsely implicated in this case and they are no way connected in the above said incident. They have not committed any offence as alleged by the prosecution. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that based on the complaint given by the defacto complainant, a case has been registered for the offences punishable under Sections 296(b), 118(1), 351(3) of BNS, 2023 r/w Section 4 of TNPHW(A) Act, 2002 and Section 3 of the Tamil Nadu Open Places (Prevention of Disfigurement) Act, 1959 in Crime No. 140 of 2026. He would further submit that there is a dispute between the neighbours and the injured was discharged from the hospital. He would further submit that the first petitioner has ten previous cases, which are not similar in nature and the second and third petitioners have no previous case. He would further submit that the investigation is pending and the offences are grave in nature and hence, he opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.



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6. Considering the rival submissions made on either side and the nature of offences charged against the petitioners, and considering the facts that there is a dispute between the neighbours and the injured was discharged from the hospital and though the first petitioner has ten previous cases, the same are not similar in nature and in all cases bail was granted to the first petitioner and the second and third petitioners have no previous case, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on anticipatory bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Shencottah, and on further conditions that:

[b] the first petitioner shall report before the Inspector of Police, Sankarankovil Police Station, daily at 10.30 a.m., for a period of thirty days and the petitioners 2 and 3 shall report before the respondent police on every



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Saturday at 10.30 a.m., for a period of four weeks, and thereafter as and when required for the interrogation.

[c] the petitioners shall not commit any offences of similar nature.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

(P D B J)
30.04.2026

apd

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To
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- 1.The Judicial Magistrate, Shencottah.
- 2.The Inspector of Police,
Atchampudur Police Station
Tenkasi
3. The Inspector of Police,
Sankarankovil Police Station
Tenkasi.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

apd

ORDER
IN
CRL OP(MD) No. 8824 of 2026

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